

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW

8110 GATEHOUSE ROAD
SUITE 100 EAST
FALLS CHURCH, VA 22042-1248
USA

(703) 205-8000
FAX: (703) 205-8050
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com
web: <http://www.bskb.com>

OTHER OFFICES:
CARLSBAD, CALIFORNIA
COSTA MESA, CALIFORNIA
LOS ANGELES, CALIFORNIA

22856 U.S.PTO
10/815790
040204



13281 U.S.PTO
040204

Date: April 2, 2004

Docket No.: 1422-0416PUS2

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a continuation divisional
 continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/532,955 filed on March 22, 2000,
the entire contents of which are hereby incorporated by
reference,
by

Yutaka KANAMARU, Hidenori TACHI, Shinji MORIYAMA and Yoshihiro
FUKUSHIMA

for

TONER FOR DEVELOPMENT OF ELECTROSTATIC LATENT IMAGES

1. Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).

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2. The filing fee has been calculated as follows:

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$770.00		\$385.00	
NUMBER FILED		NUMBER EXTRA		RATE FEE	
TOTAL CLAIMS		10-20 = 0		x 18 = \$0.00	
INDEPENDENT CLAIMS		1-3 = 0		x 86 = \$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED				+ \$290.00	
		TOTAL		\$770.00	
				\$0.00	

3. A check in the amount of \$770.00 to cover the filing fee and recording fee (if applicable) is enclosed.

4. Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.

5. Enclosed is/are _____ (____) sheet(s) of formal drawings and/or photographs.

6a. A statement claiming small entity status was filed in prior Application No. 09/532,955 on _____. See the attached copy of the statement claiming small entity status.

6b. The current application qualifies for small entity status.

7. The prior application is assigned to Kao Corporation.

8. A Preliminary Amendment is enclosed.

9a. Priority of Application No(s). 11-80003 filed in Japan on March 24, 1999 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on March 22, 2000.

9b. Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

11. Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000
or
Customer No. 02292

12. An extension of time for _____ month(s) until _____ has been submitted in parent Application No. 09/532,955 in order to establish co-pendency with the present application.

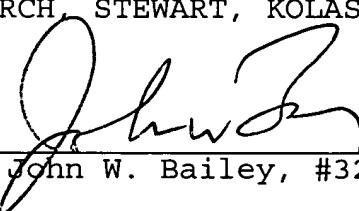
13. Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


John W. Bailey, #32,881

P.O. Box 747

Falls Church, VA 22040-0747
(703) 205-8000

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1422-0416PUS2

Attachment(s)

(Rev. 02/13/2004)

IN THE U.S. PATENT AND TRADEMARK OFFICE

COPY

Applicant(s) : KANAMARU, Yutaka; TACHI, Hidenori;
MORIYAMA, Shinji; FUKUSHIMA, Yoshihiro

Application No.: Group:

Filed: March 22, 2000 Examiner:

For: TONER FOR DEVELOPMENT OF ELECTROSTATIC LATENT IMAGES

L E T T E R

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

March 22, 2000
1422-0416P

Sir:

Under the provisions of 35 USC 119 and 37 CFR 1.55(a), the applicant hereby claims the right of priority based on the following application(s) :

<u>Country</u>	<u>Application No.</u>	<u>Filed</u>
JAPAN	11-80003	03/24/99

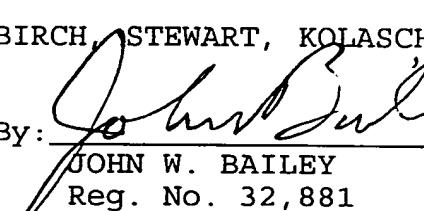
A certified copy of the above-noted application(s) is(are) attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By:


JOHN W. BAILEY
Reg. No. 32,881
P. O. Box 747
Falls Church, Virginia 22040-0747

Attachment
(703) 205-8000
/sas